

**DECISION NOTICE
AND
FINDING OF NO SIGNIFICANT EFFECT**

**for
NOXIOUS WEED MANAGEMENT**

**On The
FISHLAKE NATIONAL FOREST**

Beaver, Iron, Garfield, Juab, Millard, Piute, Sevier, and Wayne Counties, Utah

Fishlake National Forest
115 East 900 North
Richfield, UT 84701

The Environmental Assessment (EA) for Noxious Weed Management on the Fishlake National Forest discloses the environmental effects of using integrated weed management techniques to control the invasion and spread of noxious weeds. The EA is available at the Fishlake National Forest Supervisor's Office in Richfield, Utah and by internet at www.fs.fed.us/r4/fishlake/nepa/nepa.index.html. I have reviewed the EA and related material and I base my decision upon that review.

An interdisciplinary Team (IDT) of resource specialists conducted this analysis and documented the results. In accordance with the National Forest Management Act and the National Environmental Policy Act, the IDT considered the affected area, formulated alternatives, and estimated environmental consequences based on Forest Plan goals, objectives, and standards and guidelines, together with issues raised during scoping.

Purpose and Need

The Fishlake National Forest proposes:

- **Integrated Weed Management**--To emphasize a program to annually treat, through Integrated Weed Management (IWM) control methods, noxious weeds on National Forest System lands in southern Utah in parts of Sevier, Beaver, Wayne, Iron, Garfield, Piute, Millard, and Juab Counties on the Fillmore, Beaver, Richfield, and Loa Ranger Districts.
- **Non-Significant Forest Plan Amendment**--Implicit in the implementation of a noxious weed program is the additional proposal to provide supporting noxious weed goals, objectives, management direction, and Forest-wide standards and guidelines through the amendment of the Forest Plan. Although the current Forest Plan is consistent with Integrated Weed Management (IWM) treatment recommendations and priorities for managing noxious weeds, it is insufficient in addressing strategies for effecting prevention and control and the social and environmental effects these practices might have. The Forest Plan is silent on implementation of standards and guidelines for noxious weed prevention and control. Incorporated within this Environmental assessment is the proposal to amend the current Forest Plan (Appendix E).

Decision

Based on the analysis and evaluation described in the EA, it is my decision to implement the Proposed Action to implement Integrated Weed Management as the method for controlling noxious weeds and to concurrently amend the Forest Plan to provide for more appropriate direction and standards and guidelines for implementing the Proposed Action. Integrated Weed Management is a control strategy which allows the use of a combination of control methods, depending on what is most effective on the target noxious weed, with any applied restrictions. Under the Proposed Action, managers would implement a prevention and early detection strategy and would use biological, ground-based chemical, cultural, mechanical, or manual methods to control noxious weed infestations.

To facilitate weed prevention and control efforts, this decision also amends the Fishlake National Forest Land and Resource Management Plan with eight new noxious weed objectives: 1) Administration and planning, 2) Education and awareness, 3) Prevention and early detection, 4) Coordination and cooperation, 5) Inventory and mapping, 6) Containment, control, and eradication, 7) restoration, and 8) research. These objectives include 28 new standards and guidelines giving direction in the management of noxious weeds on the Fishlake National Forest. The weed prevention standard incorporates 70 new weed prevention measures associated with forest uses. A complete description of the Proposed Action, as well as a Noxious Weed Management and Control Strategy, is found in Chapter 1 of the EA.

Mitigation Measures

My review has concluded that the mitigation requirements listed on page 2-14 of the EA, the weed prevention practices included in Appendix F, and the Safety Plan included in Appendix D are adequate to ensure the proper and safe application of herbicides on lands that may be treated in Forest Service vegetation management programs.

Monitoring

The need for monitoring is pointed out in the Description of Alternatives Considered in Detail section on page 2-8 of the EA. Additional direction for inventorying, mapping, and monitoring to determine management emphasis for noxious weed treatment is included in the Forest Plan Amendment. The purpose of all monitoring activities will be to ensure that management objectives of prevention, containment, and eradication are being achieved. If monitoring results differ substantially from those discussed in the EA, a determination of the cause will be made and corrective actions will be identified and implemented.

Rationale for the Decision

Noxious weeds pose an increasing threat to the integrity of wildland ecosystems. New populations can spread approximately 10% to 25% each year. The Forest Service (FS) has the lead responsibility for noxious weed coordination for the Department of Agriculture (USDA) under the authority contained in the Noxious Weed Act of 1974 and the USDA Policy 9500-10. Under this authority the FS developed the USDA Policy in 1990 and policy direction for the FS in 1991. FS policy was revised in 1995 (FSM 2080) to include new standards and refined direction for integrated pest management (IPM). The revised policy emphasizes the importance of integrating noxious weed management in ecosystem analysis, assessment, and forest planning.

- **1. Accomplishment of the Purpose and Need.** The Purpose and Need, as described in Chapter 1 of the EA, is met with the Proposed Action (Selected Action).

- **2. Consistency with the Fishlake National Forest Land and Resource Management Plan.** I have compared the details of my decision with the Fishlake National Forest Land and Resource Management Plan (LRMP) goals and objectives, as well as standards and guidelines (S&Gs), for consistency with the LRMP. Although the decision to emphasize IWM is consistent with the LRMP, the Forest Plan does not contain the necessary goals, objectives, management direction, and standards and guidelines to implement an aggressive noxious weed program that is in compliance with current National direction and Forest Service agency-wide and Regional emphasis and policies. The Forest Plan is also insufficient in addressing strategies for effecting prevention and control and the social and environmental effects these prevention measures might have. By incorporating with this EA, an amendment to the Forest Plan which revises, replaces or adds noxious weed goals, objectives, management direction, and Forest-wide standards and guidelines, consistency between the Proposed Action and the Forest Plan is assured.

- **3. Effects on the Environment and Responsiveness to Issues.** The detailed analysis in Chapter 4 of the EA discloses how the Proposed Action (the Selected Action) responds to the issues and affects the resources.

Public Involvement

Notice to the public of intentions to prepare an Environmental Assessment evaluating weed control management on the Fishlake National Forest was first issued by release of a public scoping document on March 28, 2000. With that notice, public comment was solicited formally, announcing the intention to develop an environmental assessment documenting site-specific and noxious weed-specific analysis of noxious weed control. The public was informed of the intent to tie to the Intermountain Region Noxious Weed and Poisonous Plant Control Program FEIS. Twenty-four individuals responded to the invitation to receive a copy of the scoping document, but only three provided comments.

Completion of the Environmental Assessment in the year 2000 was delayed. Because of the lapse of time, late in 2001 an additional scoping document was released.

On November 19, 2001 notice of the availability of a scoping document was mailed to 136 interested publics; including special interest groups, other agencies, congressional offices, and interested citizens. The scoping notice identified the targeted noxious weed species, site-specifically located infestations on each of the various Ranger Districts, and described their associated environments. A description of the Proposed Action and the decision to be made was provided, and a specific request for public comment was made. Seven individuals responded to the invitation to receive a copy of the scoping document, but only four provided comments.

Other Alternatives Considered

In response to public scoping issues, the ID Team developed eight potential alternatives to the Proposed Action and No Action alternative. Seven of these alternatives were considered, but eliminated from detailed study. They are described in Chapter 2 of the EA, along with the rationale for not considering them in detail. The Regional FEIS, to which this EA is tiered, considered a range of six alternatives.

Compliance With The Forest Plan, Other Laws And Regulations

Based on my review of the analysis presented in the EA, Chapter 4, and the supporting project file documentation, Biological Assessment, and concurrence from the USF&WS; I have determined that the Selected Action is in compliance with the Fishlake National Forest Land and Resource Management Plan (as amended pursuant to this EA), the National Forest Management Act of 1976, the Clean Water Act of 1948 (as amended in 1972 and 1987), the American Antiquities Act of 1906, the Historic Preservation

Act of 1966, and the Endangered Species Act of 1973, as amended. In addition, no floodplains or wetlands will be affected as defined in Executive Orders 11988 and 11990.

Finally, I have determined that my decision is consistent with the Administrative Procedures Act. My decision is neither arbitrary nor capricious, but is based on careful review of the analysis process, findings for this project, public comment, and the purpose and need for action.

Finding Of No Significant Impact

I have reviewed the Council on Environmental Quality Regulations for significance (40 CFR 1509.27) and have determined that this action is not a major federal action, individually or cumulatively, and will not significantly affect the quality of the human environment. Therefore, an Environmental Impact Statement pursuant to Section 102(2)(c) of the National Environmental Policy Act is not required. This determination is based on the following factors:

- **1. Context of the Proposed Project.** The project will occur on a local level. Decisions made relative to noxious weed management are not expected to have any significant effects within or outside of this area, as defined in 40 CFR 1508.27 (EA, Chapter 4, Social/Economic section). The prescribed management practices are specific to meeting the stated purpose and need of noxious weed prevention, containment, and eradication. They are not part of any larger decisions at the Regional or National level.
- **2. Intensity of the Proposed Project.** "Intensity" refers to the severity of impact. The following ten factors were evaluated in determining the intensity of the effects of the proposed project:
 - a. Beneficial and adverse effects from the Selected Alternative are not significant. The effects described in the EA, Chapter 4, support this conclusion.
 - b. Public health and safety are not adversely affected by the Selected Alternative. Mitigation measures as prescribed in the EA are intended to ensure the proper and safe application of herbicides.
 - c. There are no areas within the Fishlake National Forest, or cumulative effects areas, with unique geographic characteristics such as historic or cultural resources, parklands, prime farmlands, wild and scenic rivers, or ecological critical areas that are significantly affected by the Selected Alternative. This is documented in Chapter 3 of the EA.
 - d. The effects of the Selected Alternative on the quality of the human environment are not highly controversial. These effects are disclosed in detail in the EA, Chapter 4.
 - e. There are no known effects on the human environment that are highly uncertain or involve unique or unknown risks. All known effects are adequately discussed or referenced in the EA, Chapter 4, and were determined from professional experience, education, and/or scientific literature.
 - f. These actions do not set a precedent for other projects that may be implemented to meet the goals and objectives of the LRMP. The Selected Alternative was specifically designed for noxious weed management, and addressed the site-specific purpose and need for this project.

- g. There are no known significant cumulative effects between this project and other projects implemented or planned in the area. This is substantiated in the cumulative effects discussion for each resource area in Chapter 4 of the EA.
- h. There are no known historic resources affected. While each site-specific noxious weed infestation, where mechanical treatment may occur, has not yet been reviewed by the Forest Archeologist, surveys will be completed prior to such treatment. If conflicts with historic resources arise, treatment methods will be modified or the site mitigated.
- i. There are no known federally listed (or proposed for listing) endangered or threatened plant or animal species within the Forest which will be adversely affected by the Selected Alternative (EA, Chapter 3, Table 4; EA, Chapter 4; Biological Assessment located in the Project File--incorporated by reference).
- j. The actions do not threaten a violation of Federal, State, or local laws or requirements imposed for the protection of the environment. My conclusion is based on a review of the EA, Chapter 4; concurrence with the Selected Action by the USF&WS; and based on the input from other federal, state, and county agencies which we have received to date on this project.

Implementation And Administrative Review

This decision is subject to appeal pursuant to Forest Service regulations at 36 CFR 217.3. Any written appeal must be postmarked or received in duplicate by the Appeal Reviewing Officer within 45 days of the date of publication of the legal notice regarding this decision in the Richfield Reaper. Appeals must meet content requirements of 36 CFR 217.9 and be mailed to: Regional Forester, USDA Forest Service, 324 25th Street, Ogden, UT 84401. For further information on this decision, contact David R. Grider, Range Specialist, Dixie and Fishlake National Forests, 1789 North Wedgewood Lane, Cedar City, UT 84720 (801) 865-3731 (e-mail: dgrider@fs.fed.us).

Implementation of this decision may occur on, but not before, 5 business days from the close of the appeal filing period. If an appeal is received, implementation may not occur for 15 days following the date of appeal disposition.

DECIDING OFFICIAL

/s/ Mary P. Erickson
 MARY ERICKSON
 Forest Supervisor

July 9, 2003
 DATE

